REMARKS

Rejection under 35 USC § 102

Applicant has reviewed and considered the Office Action mailed on February 04 2005, and the references cited therewith. Applicant respectfully requests reconsideration and allowance of all claims in view of the following remarks.

The Office Action rejected claims 1-11 under 35 U.S.C. § 102 as anticipated by Multer Et. Al. (U.S. 6,671,757). Applicant respectfully traverses these grounds for rejection for the reasons argued below.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a] nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Applicant respectfully submits that the Office Action did not make out a *prima facie* case of anticipation because Multer does not teach or suggest each and every element of applicant's claims arranged as in the claims.

The claimed invention enables users at a client computer to collect and organize information for later access through a wireless telephone. The collected information is processed to provide significant user interface leverage, i.e., allowing the user to process such specific information with very little interaction with the mobile device. The leveraging of the display at the mobile device is accomplished by organizing the data, at the pocket server, so it can be presented to the mobile system user as "summarized content" in the form of a card; wherein a collection of cards, defined by a single WML document, is called a deck. In contrast, the Multer patent is to transmitting only a portion (difference) of a file in order to increase "efficient use of existing bandwidth."

Claim 1 recites "receiving data ... through a base system", "associating the data object with the user .... [and] one of two or more data object types", and "sending the data to the user through the mobile system interface in accordance with one or more data attributes ..."

In contrast, Multer merely describes various schemes for "transferring data between two devices" by examining differences in versions of the data in each respective device. A difference indicator is determined based on when the data was last updated in each machine. *Multer at column, line 14 and Figs. 1-5*. The examiner points to the Multer patent at column 3, lines 36-37, for storing and associating a data object with the user. The particular citation is to the summary of the invention, while permissible, adds little disclosure and provides little to the understanding of the rejection since there is no mention of creating a data object from user data. Applicant requests that the examiner provide a more direct citation to the storing of a data object and the association of the data object with the user. Applicant would like to direct the examiner to Figure 45A of the present application that shows a created data object from the stored data with respective attributes (actions). The stored data object, as claimed and described in the

application, has attributes such as actions that can be performed by the receiving device to leverage the portable's device hardware limitations and the user's limited interaction capabilities.

Applicant respectfully submits that the Multer "data transfer and synchronization" does not teach or suggest associating the data object with a user and with two or more data object types, and sending the associated data to the user's mobile system in accordance to one or more data attributes as required by claim 1 because Multer's data transfer scheme is tailored to insuring that versions of the same file can be found in different computers and not creating data objects of user data as claimed Thus, Applicant respectfully submits that Multer does not teach or suggest all the elements of claim 1.

Claims 2-11 are dependent on claim 1 and are patentable over Multer for the reasons argued above, plus the elements in the claims. In particular, to claim 3, which in part recites, "parsing the data" into portions, which correspond to "one or more data attributes". The examiner points to column 38, lines 55-65, as reciting the claimed parsing steps. A reasonable reading of the text and Figure 12 merely indicates the different file "formats" the data transferring device of Multer can accommodate and where the update could be found based on the application. Applicant's claimed method is portioning the data based on one of the properties for the "selected data object type". Additionally, claim 8 requires the sending of the data with triggers that can invoke an action taken, upon approval the user, by the receiving device. The examiner points to the different devices that can exchange data using the Multer patented technique. There is no mention or a reasonable interpretation drawn that data with triggers is part of the exchange between the respective devices. Applicant requests that the examiner provide a more direct citation to the "user interface triggers" and "actions to be taken with respect to the data" as recited in claims 5-11.

CONCLUSION

Applicant believes this reply is fully responsible to all outstanding issues and places the application in condition for allowance. If this belief is incorrect, or other issues arise, the examiner is encouraged to contact the undersigned at the telephone number listed below.

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Respectfully submitted,

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